

## DECLARATION AND POWER OF ATTORNEY

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names; that

We verily believe we are the original joint inventors of the invention entitled:  
**DIGITAL FILTER** (Docket No. TRD 021 PA), described and claimed

  X   in the attached specification;  
       in the specification filed \_\_\_\_\_, as U.S. Application Serial No.  
\_\_\_\_\_, and as amended \_\_\_\_\_.

We hereby authorize the attorney(s) and/or agent(s) appointed herein to indicate above whether the invention is described and claimed in an attached specification and to provide the Filing Date and Serial No. of the corresponding U.S. Application, if previously filed.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims as filed and as amended by any amendment referred to above.

We acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a).

We hereby claim the benefit under 35 USC § 119(e) of any United States provisional application listed below:

Application Number

Filing Date

60/148,787

August 13, 1999

We hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Richard A. Killworth	Reg. No. 26,397
James F. Gottman	Reg. No. 27,262
Timothy W. Hagan	Reg. No. 29,001
Richard C. Stevens	Reg. No. 28,046
Robert L. Showalter	Reg. No. 33,579
James E. Beyer	Reg. No. 39,564
Susan M. Luna	Reg. No. 38,769
Carolyn M. Sloane	Reg. No. 44,339
Daniel C. Stelter	Reg. No. 40,830
Patricia L. Prior	Reg. No. 33,758
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Address all telephone calls to (937) 223-2050. Address all correspondence to: KILLWORTH, GOTTMAN, HAGAN & SCHAEFF, L.L.P., One Dayton Centre, One South Main Street, Suite 500, Dayton, Ohio 45402-2023.

We further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or first Inventor: Frank A. Scarpino

Inventor's signature\_\_\_\_\_

Date:\_\_\_\_\_

Residence: 1984 Indian Head Rd.  
Dayton, Ohio 45459

Citizenship: U.S.A.

Post Office Address: c/o True Dimensional Sound, Inc.  
1450 Madruga Ave., Suite 404  
Coral Gables, Florida 33146

Full name of second Inventor: Arturo H. Garcia

Inventor's signature\_\_\_\_\_

Date:\_\_\_\_\_

Residence: 4443 S.W. 11<sup>th</sup> St.  
Miami, Florida 33134

Citizenship: U.S.A.

Post Office Address: c/o True Dimensional Sound, Inc.  
1450 Madruga Ave., Suite 404  
Coral Gables, Florida 33146

Applicant or Patentee: Frank A. Scarpino et al. Att.Dkt.No. TRD 021 PA  
Serial or Patent No.: \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_  
For: DIGITAL FILTER

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act  
on behalf of the concern identified below:

NAME OF CONCERN True Dimensional Sound, Inc.  
ADDRESS OF CONCERN 1450 Madruga Ave., Suite 404  
Coral Gables, FL 33146

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with respect to the invention, entitled DIGITAL FILTER by inventors Frank A. Scarpino and Arturo H. Garcia described in

- ☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME NONE

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL    ☐ SMALL BUSINESS CONCERN    ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL    ☐ SMALL BUSINESS CONCERN    ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Stephen N. Knecht

TITLE OF PERSON OTHER THAN OWNER Secretary

ADDRESS OF PERSON SIGNING 1450 Madruga Ave., Suite 404

Coral Gables, FL 33146

SIGNATURE 

DATE 11/1/99